



Response under 37 C.F.R. 1.116
- Expedited Examining Procedure -
Examining Group 2879

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ronald S. Cok

LIGHTING APPARATUS WITH
FLEXIBLE OLED AREA
ILLUMINATION LIGHT SOURCE
AND FIXTURE

Serial No. 10/776,742

Filed 11 February 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Group Art Unit: 2879

Examiner: Dalei Dong

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Valerie J. Richardson
Valerie J. Richardson
September 15, 2006
Date

Pre-Appeal Brief Request for Review

Applicants request review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal. The review is requested based on the following Arguments.

Arguments

Claim Rejections - 35 USC § 103

Claims 1-5, 7-16, 26-30 and 32-34 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,652,930 to Teremy in view of U.S. Patent No. 4,834,495 to Whitehead. Such rejection represents clear error, as it is based on the unsupported assertion that Teremy discloses in Figures 10 and 11, a method for providing a replaceable area illumination light source, including a step of flexing and removably placing the light source in a curved three-dimensional configuration within a light fixture.

Rather than disclose manufacture of a flexible and replaceable area illumination light source, Figures 10 and 11 and column 7, lines 1-30 of Teremy

disclose manufacture of a curved information display by patterning electroluminescent materials on a flexible support, and then applying the flexible support to a rigid support such as a camera casing. Alternatively, Teremy discloses manufacture of the information display by directly applying the patterned electroluminescent materials to a rigid layer formed to define the shape of a camera casing. While the rejection is believed to be in clear error as the claimed invention is clearly directed towards a method of providing a distinct product than that of Teremy (i.e., providing flexible replaceable area illumination light sources, such as described at page 1, lines 24-25; page 3, lines 11-12; page 4, lines 4-5; page 6, line 6; etc. of the specification, rather than a camera information display), formation of the information displays of Teremy which are applied to rigid supports is in any event clearly distinguished from the present invention. As a practicality, area illumination light sources are intended to be removably placed in lighting fixtures by end users (such as by replacing light bulbs in a lamp), while application of an information display to a camera body would occur during manufacture of the camera. It is clear that the step of “applying” the flexible support to a rigid support in the manufacture of a camera display as taught by Teremy is a permanent application, not a removable placement within a light fixture. Note specifically that electrical connections to the electroluminescent patterns of the displays of Teremy are formed only after the flexible support is applied to the rigid support (col. 7, lines 9-13). A teaching with respect to applying a flexible display to a camera casing is accordingly clearly not a teaching of removably placing a flexed light source in a light fixture within the context of the present invention. There is accordingly no support for the Examiner’s statement that Teremy discloses a replaceable area illumination light source, which is flexed and removably placed in a curved three-dimensional configuration within a light fixture.

The Examiner’s further reliance upon Whitehead et al. clearly does not overcome the deficiencies of the primary reference, as Whitehead is directed towards a distinct product relative to that of Teremy (i.e., a collapsible light pipe, rather than a camera display). There would be no motivation to combine such teachings, as application of an information display to a camera body would occur during manufacture of the camera. There is accordingly no support for the Examiner’s further statement with respect to claim 1 that it would have been

obvious to ship the light sources of Teremy in a two-dimensional configuration (i.e., not applied to the three-dimensional camera body). Finally, even if the patterned electroluminescent elements of Teremy formed on a flexible support were shipped in a two-dimensional configuration prior to being applied to a rigid camera body as part of an intermediate manufacturing step, the present invention in any event still would not be obtained, as the electroluminescent display elements of Teremy are not area illumination light sources, and as there is still no teaching to flex and removably place such element in a curved three-dimensional configuration within a light fixture. Accordingly, the present invention represents clear error, and review and reversal thereof is respectfully requested.

Additionally regarding claim 26, there is further no support for the Examiner's contention that "it would have been obvious to one having ordinary skill in the art at the time the invention was made to have ship the light source of Teremy, sequentially attached in a accordion configuration of Whitehead in order to save space and cost during the transfer of the light source." Such rejection represents further clear error, as neither Teremy or Whitehead disclose formation of distinct elements which are sequentially attached and subsequently detached for individual use. While the light pipes of Whitehead may be folded for shipment, the folded portions thereof are not subsequently detached for individual use. The Examiner's contention that it is "old and well known in the art to ship the plurality of product sequentially attached in a different configuration and detach one or more of the product after shipping" is not in any way suggested by any cited analogous prior art.

Claims 17-21 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 5,652,930 to Teremy in view of U. S. Patent No. 6,295,818 to Ansley. Such rejection also represents clear error, as it is again based on the assertion that Teremy discloses in Figures 10 and 11, a method for providing a replaceable area illumination light source, including a step of flexing and removably placing the light source in a curved three-dimensional configuration within a light fixture, which assertion is clearly unsupported for the reasons discussed above.

The Examiner's further reliance upon Ansley clearly does not overcome the deficiencies of the primary reference, as Ansley is directed towards

a distinct product relative to that of Teremy (i.e., a PV-thermal solar power assembly, rather than a camera display). There would be no motivation to combine such teachings, as application of an information display to a camera body would occur during manufacture of the camera. There is accordingly no support for the Examiner's further statement with respect to claim 1 that it would have been obvious to ship the light sources of Teremy in a sequentially attached cylindrical configuration of Ansley (i.e., not applied to the three-dimensional camera body). Finally, even if the patterned electroluminescent elements of Teremy formed on a flexible support were shipped in such a configuration prior to being applied to a rigid camera body as part of an intermediate manufacturing step, the present invention in any event still would not be obtained, as the electroluminescent display elements of Teremy are not area illumination light sources, and as there is still no teaching to flex and removably place such element in a curved three-dimensional configuration within a light fixture. Accordingly, the present invention represents clear error, and review and reversal thereof is respectfully requested.

Additionally specifically with respect to claims 18 and 19, and 27 and 28, there is further no support for the Examiner's contention that providing a plurality of light sources packaged in a roll, or a stack, and electrically connected in parallel or series and means to detach and provide power to groups of individual light sources, which is practically enabled in accordance with the present invention, is in any way suggested by any analogous prior art. The Examiner's further statement that the manner in which the light source is connected is not patentably important because they may be connected in parallel or series is not relevant as is it does not address the patentability of the claimed methods with respect to providing a plurality of electrically connected light sources which are also individually detachable. The fact that Applicant provides two enabling examples of such methods (employing light sources connected in parallel or in series) does not defeat patentability of each enabling example.

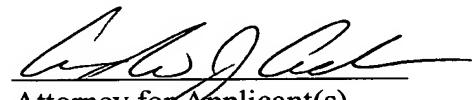
Claim 6 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,652,930 to Teremy in view of U.S. Patent No. 4,834,495 to Whitehead and in further view of U.S. Patent No. 4,672,554 to

Ogaki, and Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,652,930 to Teremy in view of U.S. Patent No. 6,295,818 to Ansley and in further view of U.S. Patent No. 4,672,554 to Ogaki. Such rejections also represent clear error, as it is again based on the assertion that Teremy discloses in Figures 10 and 11, a method for providing a replaceable area illumination light source, including a step of flexing and removably placing the light source in a curved three-dimensional configuration within a light fixture, which assertion is clearly unsupported for the reasons discussed above.

The Examiner's further reliance upon Ogaki clearly does not overcome the deficiencies of the primary reference, as Ogaki is directed towards a software vending instrument. There would be no motivation to combine such teachings, as vending of inflexible software products does not in anyway relate to the of vending of display devices such as taught by Teremy. Further, as the light sources of Teremy are applied to a rigid substrate during manufacture of a camera, there would appear to be no motivation to vend such light sources in a vending machine. There is further no support for the Examiner's contention that vending of light sources from a vending machine, which is practically enabled in accordance with the present invention, is in any way suggested by any analogous prior art.

The final rejection thus clearly is in error for at least the reasons asserted above, and a prompt and favorable action in response to this request is earnestly solicited.

Respectfully submitted,



Attorney for Applicant(s)
Registration No. 33,564

Andrew J. Anderson/vjr
Rochester, NY 14650

Telephone: (585) 722-9662
Facsimile: (585) 477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.